

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

IN RE:  
ANTHONY PIGGUE  
DEBTOR.

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§  
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CASE NO. 18-32456  
(Chapter 7)

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ANTHONY PIGGUE  
Plaintiff,

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§

v.

ADVERSARY NO. 18-06007

KARON G. BARBEE, RECEIVER  
Defendant.

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CHRISTOPHER M. MURRAY, IN HIS  
CAPACITY AS CHAPTER 7 TRUSTEE  
Plaintiff,

§  
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§  
§

v.

ADVERSARY NO. 18-06007

KARON G. BARBEE, RECEIVER  
Defendant.

§  
§  
§  
§

**EMERGENCY UNOPPOSED MOTION TO MEDIATE**

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

EMERGENCY RELIEF HAS BEEN REQUESTED. IF THE COURT CONSIDERS THE MOTION ON AN EMERGENCY BASIS, THEN YOU WILL HAVE LESS THAN 21 DAYS TO ANSWER. IF YOU OBJECT TO THE

**REQUESTED RELIEF OR IF YOU BELIEVE THAT THE EMERGENCY CONSIDERATION IS NOT WARRANTED, YOU SHOULD FILE AN IMMEDIATE RESPONSE.**

**TO THE HONORABLE UNITED STATES CHIEF BANKRUPTCY JUDGE, DAVID R. JONES:**

Christopher R. Murray, chapter 7 trustee (“Trustee” or “Plaintiff”) for the bankruptcy estate of Anthony Piggue (“Estate”) and plaintiff in this case hereby files this Unopposed Emergency Motion to Mediate (“Motion”) and respectfully states the following:

1. Anthony Piggue (the “Debtor”) initiated this adversary proceeding against Karon G. Barbee, Receiver on June 27, 2019.

2. The Trustee filed a Motion to Intervene on September 14, 2019 (“Motion to Intervene”)(Docket No. 27), which was unopposed. The Court entered an order authorizing the Trustee to file his Intervenor’s Complaint on November 20, 2019 (Docket No. 29). The Trustee filed his Intervenor Complaint on November 27, 2019 (Docket No. 31).

3. Pursuant to the Order Approving Compromise (Docket No. 169), the Debtor assigned his claims in this adversary proceeding to the Trustee.

4. The Trustee and Karon Barbee (“Barbee” or “Defendant”) are actively in discussions regarding the merits of the underlying claims and defenses. The parties have agreed to mediate the claims asserted in this adversary proceeding, subject to this Court’s approval. The Honorable United States Bankruptcy Judge Eduardo V. Rodriguez has agreed to act as a judicial mediator and has offered to mediate in Houston on October 22, 2019. All parties and counsel are available on that date as well. The proposed mediation date is less than 21 days from the date of filing this Motion, which is the reason that the Motion is filed on an emergency basis.

**PRAYER**

WHEREFORE, the Trustee respectfully requests that the Court authorize the parties to mediate the disputes in this adversary proceeding, enter an order appointing Hon. Eduardo V. Rodriguez to serve as the mediator, and for such other and further relief which the Court deems appropriate.

Dated: October 3, 2019.

Respectfully submitted,

/s/ Erin E. Jones

Erin E. Jones  
Jones Murray & Beatty, LLP  
Texas Bar No. 24032478  
4119 Montrose Suite 230  
832-529-1999 (Office)  
832-529-3393 (Fax)  
erin@erinjoneslaw.com  
ATTORNEYS FOR CHAPTER 7  
TRUSTEE

**CERTIFICATE OF SERVICE**

I hereby certify that on October 3, 2019 a true and correct copy of the foregoing was served electronically to all counsel of record to the parties in this adversary proceeding via ECF/PACER.

/s/ Erin E. Jones

Erin E. Jones